

REMARKS

Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks. Claims 1-7 were pending prior to the Office Action. Claims 1-6 have canceled without prejudice or disclaimer. Also, claim 8 has been added through this Reply. Therefore, claims 7 and 8 are pending. Both pending claims are independent

OBJECTION TO THE SPECIFICATION

The Specification is objected to for minor informalities. *See Office Action, page 2.* More specifically, the Examiner asserts that the Title of the Invention is not descriptive. The Title has been amended as shown above to address this objection. Applicants respectfully request that the objection to the Specification be withdrawn.

§ 103 REJECTION – LATHROP, TAKEMURA

Claims 1-6 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lathrop (U.S. Patent 6,288,743) in view of Takemura (U.S. Patent 6,657,658). These claims have been canceled, and thus the rejection has been rendered moot.

Applicants respectfully request that the rejection of claims 1-6 based on Lathrop and Takemura be withdrawn.

§ 103 REJECTION – LATHROP, TAKEMURA, HEARD

Claim 7 stands rejected under 35 U.S.C. § 1-3(a) as allegedly being unpatentable over Lathrop in view of Takemura and further in view of Heard (U.S. Patent 4,671,655). Applicants respectfully traverse.

For a Section 103 rejection to be proper, a *prima facie* case of obviousness must be established. See *M.P.E.P. 2142*. One requirement to establish *prima facie* case of obviousness is that the prior art references, when combined, must teach or suggest all claim limitations. See *M.P.E.P. 2142*; *M.P.E.P. 706.02(j)*. Thus, if the cited references fail to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, claim 7 recites, in part, “a signal processing device which processes the unprocessed image data read out from the unprocessed data storing device into a processed image data in accordance with an image property parameter”, “an image property setting device through which an instruction is inputted to change data of the image property parameter”, and “wherein the display displays at least one of histogram, average level, peak level, and bottom level of the result of the image processing, which is processed according to the image property setting designated by a user.” In other words, as recited in claim 7, histogram, which is adapted to the image property setting, can be displayed for completing the image, and the image can be

completed by using auxiliary information for setting the image property. This is even if the display does not have adequate ability to display.

It is clear that Lathrop, Takemura, and Heard, even when combined, cannot be relied upon to teach or suggest the above-noted combination of features. Lathrop merely relates to the saving buffer memory and signal processing circuit by using a non-volatile memory instead of the buffer memory. Lathrop does not disclose a function to set the image property after the image is taken. Consequently, Lathrop's disclosure is quite different from the electronic camera as claimed, which enables a change in the image property setting of the taken image without deteriorating the quality of the image.

Takemura merely relates to a photographic print, wherein the user can designate a finish of an image by confirming the image through a monitor, and attach the finish data to the original image data, so that the user can obtain a print of the desired finish. Heard, merely discloses that the histogram of the image is displayed. Heard fails to disclose that histogram of the result of processing, which has been processed according to a user's setting, is displayed.

Clearly, the combination of Lathrop, Takemura, and Heard cannot be relied upon to teach or suggest all elements as recited in claim 7. Therefore, claim 7 is distinguishable over the combination of Lathrop, Takemura, and Heard.

Applicants respectfully request that the rejection of claim 7 based on Lathrop, Takemura, and Heard be withdrawn.

NEW CLAIM

Claims 8 has been added through this reply. The new claim is believed to be distinguishable over the cited references, individually or in any combination. The new claim 8 includes features such as a first buffer for storing unprocessed image data before processing and a second buffer for storing finished image data after image processing is completed. The features of claim 8 are such that the image setting property can be changed repeatedly without deteriorating the quality of the image and the obtained image can be recorded in a recording medium while keeping the desired quality. None of the cited references, individually or in combination, can be relied upon to teach or suggest all features of the new claim 8.

Therefore, Applicants respectfully request that the new claim be allowed.

CONCLUSION

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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